

**Notice of Allowability**

Application No.

10/801,322

Examiner

Yveste G. Cherubin

Applicant(s)

LEIFER ET AL.

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to November 24, 2004.
2. ☒ The allowed claim(s) is/are 1-8, 13 and 19-34.
3. ☒ The drawings filed on 16 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 3/16, 5/27, 9/10, 11/17 (2004)
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
XUAN M. THAI  
PRIMARY EXAMINER

PAU3713

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1. This action is in response to the amendment of the US Application No. 10/801,322 filed November 24, 2004. Claims 1-8, 13, 19-34 are pending.

***Response to Amendment***

2. It has been noted that claims 1 has been amended, claims 9-12, 14-18 cancelled, and claims 24-34 added.

***Allowable Subject Matter***

3. Claims 1-8, 13, 19-34 are allowed over the prior art of record.

**EXAMINER'S AMENDMENT**

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Tuntunjian on January 5, 2005.

The application has been amended as follows:

In the claims:

Page 3, claim 1, lines 12-13, the words "said controller information including control signals for activating said vibrating member" have been inserted between the word 'controller,' and '; and',

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Page 5, claim 13, line 1, the words "according to claim 9" have been deleted and the words "according to claim 1" have been added.

Page 6, claim 23, lines 2-3, the word "internal" between the words 'activating said' and 'vibration' has been deleted.

Page 6, claim 24, line 12, "; and " has been deleted and the group of words ", said controller information including control signals for activating said vibrating member" have been inserted between the word 'controller' and '; and'.

Page 8, claim 34, line 2, the word "internal" between the words 'activating said' and 'vibration' has been deleted.

In the Specification:

Page 2, 1<sup>st</sup> paragraph, line 2, the words "*now US Patent No. 6,719,633*" have been inserted between the words "November 8, 2000," and "which is a continuation-in-part of US Patent ".

Page 2, 1<sup>st</sup> paragraph, line 3, the words "now US Patent 6,280,327" have been deleted and the word "*abandoned*" has been inserted.

### ***Reasons for Allowance***

5. The following is an examiner's statement of reasons for allowance: upon extensive searches of wireless game control units, the Examiner respectfully submits that the prior art of record fails to disclose a wireless controller unit comprising: a console interface connected to the game console via at least one of the game controller ports and having wireless receiver circuitry for receiving the game information from the

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game controller, said console interface including wireless transmitter circuitry for wirelessly transmitting controller information to the game controller” as recited in independent claim 1 and “ a console interface directly connected to the game console without wires via at least one of the game controller ports and having wireless receiver circuitry for receiving the game information from the game controller, said console including wireless transmitter circuitry for wirelessly transmitting controller information to the game controller, said controller information including control signals for activating said vibrating member” as recited in independent claim 24. Hence, the Examiner has allowed claims 1-8, 13, 19-34.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yveste G. Cherubin whose telephone number is (571) 272-4434. The examiner can normally be reached on 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Xuan can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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XUAN M. THAI  
PRIMARY EXAMINER  
AU 3713